

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**September 30, 2002**

- C038040      THE PEOPLE v. PEREZ      (Not for Publication)**  
The judgment is affirmed.  
                         MORRISON, J.  
We concur:      Sims, Acting P.J.  
                         Kolkey, J.
- C039784      THE PEOPLE v. FRIGO      (Not for Publication)**  
The judgment is affirmed.  
                         CALLAHAN, J.  
We concur:      Scotland, P.J.  
                         Nicholson, J.
- C041150      THE PEOPLE v. WEDGWORTH      (Not for Publication)**  
The judgment is affirmed.  
                         NICHOLSON, J.  
We concur:      Blease, Acting P.J.  
                         Hull, J.
- C022895      SILO v. CHW MEDICAL FOUNDATION et al.      (Not for Publication)**  
**C024033**  
The judgment is reversed. The parties shall bear their own costs on appeal.  
                         MORRISON, J.  
We concur:      Sims, Acting P.J.  
                         Callahan, J.
- C034381      BROWN v. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA      (Not for Publication)**  
**C035554**  
The order denying class certification is affirmed in case No. C034381, and the judgment is affirmed in case No. C035554. Defendant is awarded its costs on appeal in both cases.  
                         HULL, Acting P.J.  
We concur:      Kolkey, J.  
                         Robie, J.
- C037440      COUNTY OF SACRAMENTO v. GARABEDIAN      (Not for Publication)**  
The orders are affirmed.  
                         CALLAHAN, J.  
We concur:      Davis, Acting P.J.  
                         Raye, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**September 30, 2002, continued**

- C037975      BEEBE v. CITY OF GALT et al.                      (Not for Publication)**  
The judgment is affirmed. Plaintiff shall pay defendants their costs of this appeal.  
(Cal. Rules of Court, rule 26.)  
                         MORRISON, J.  
We concur:      Davis, Acting P.J.  
                         Nicholson, J.
- C037799      In re TRAVIS C.; THE PEOPLE v. TRAVIS C.                      (Not for Publication)**  
The judgment is reversed and the matter is remanded to the juvenile court for  
further proceedings.  
                         MORRISON, J.  
We concur:      Sims, Acting P.J.  
                         Davis, J.
- C037931      In re KARISSA S.; DEPARTMENT OF SOCIAL SERVICES v. RAQUEL S.                      (Not for Publication)**  
**C038604**  
The judgment of disposition and the order denying the petition for modification  
are affirmed.  
                         MORRISON, J.  
We concur:      Sims, Acting P.J.  
                         Callahan, J.
- C041744      DENISE T. v. THE SUPERIOR COURT OF SAN JOAQUIN COUNTY and SAN  
JOAQUIN COUNTY HUMAN SERVICES AGENCY                      (Not for Publication)**  
The petition is denied. The request for stay is denied as moot.  
                         DAVIS, Acting P.J.  
We concur:      Raye, J.  
                         Kolkey, J.
- C041650      SCOTT v. HILTON HOTELS et al.**  
**BY THE COURT:**  
Appellant's petition for rehearing is denied.  
                         SCOTLAND, P.J.



**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**October 2, 2002, continued**

- C037722      THE PEOPLE v. BANKS      (Not for Publication)**  
The judgment is affirmed.  
                        BLEASE, Acting P.J.  
We concur:    Hull, J.  
                        Robie, J.
- C039857      THE PEOPLE v. SHIRK      (Not for Publication)**  
The judgment is affirmed.  
                        BLEASE, Acting P.J.  
We concur:    Hull, J.  
                        Robie, J.
- C040001      THE PEOPLE v. DANIELS      (Not for Publication)**  
The judgment is modified to impose a \$200 restitution fine and a \$200 restitution fine suspended unless parole is revoked. As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections.  
                        BLEASE, Acting P.J.  
We concur:    Hull, J.  
                        Robie, J.
- C037628      KELLOGG et al. v. GARCIA et al.      (Certified for Publication)**  
The judgment is reversed and the case remanded to the trial court with directions to enter judgment that the Kelloggs have an easement by necessity across the Garcia's property. The Kelloggs shall recover their costs on appeal. (Cal. Rules of Court, rule 26 (a).)  
                        KOLKEY, J.  
We concur:    Sims, Acting P.J.  
                        Raye, J.
- C038953      ROGELL v. CALLAHAN      (Not for Publication)**  
The judgment is affirmed. Callahan shall recover his costs on appeal. (Rule 26 (a) (1).)  
                        KOLKEY, J.  
We concur:    Scotland, P.J.  
                        Callahan, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**October 3, 2002**

**C037717      THE PEOPLE v. BILLA      (Certified for Partial Publication)**

The judgment is modified to stay, pursuant to section 654, the services of sentence imposed on count three, insurance fraud in violation of section 550, subdivision (a) (4), and to award defendant a total of 476 days of presentence conduct credit (414 days of actual custody credit and 62 days of good conduct credit). As modified, the judgment is affirmed.

The trial court is directed to amend the abstract of judgment to reflect these modifications and to state that the indeterminate term of 15 years to life is imposed on count one only. The court is further directed to forward to the Department of Corrections a certified copy of the amended abstract of judgment.

SCOTLAND, P.J.

We concur:    Sims, J.  
                  Morrison, J.

**C039467      THE PEOPLE v. KELLY      (Not for Publication)**

The judgment is affirmed.

ROBIE, J.

We concur:    Scotland, P.J.  
                  Hull, J.

**C040496      MANTECANS FOR PRESERVATION OF OPEN SPACE v. CITY  
OF MANTECA et al.      (Not for Publication)**

The judgment is reversed and the case is remanded for further proceedings. Appellant shall recover its costs on appeal. (Cal. Rules of Court, rule 26 (a).)

ROBIE, J.

We concur:    Callahan, Acting P.J.  
                  Kolkey, J.

**C038139      PRENATT v. G.W. WILLIAMS COMPANY et al.**

BY THE COURT:

Appellant's petition for rehearing is denied.

DAVIS, Acting P.J.

**October 4, 2002**

**C038616      THE PEOPLE v. KERNOHAN      (Not for Publication)**

The judgment is affirmed.

SCOTLAND, P.J.

We concur:    Davis, J.  
                  Nicholson, J.

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Nicholson, J.